



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

WMP

Docket No: 5357-02  
1 May 2003

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 30 April 2003. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you reenlisted in the Navy on 27 August 1993 after more than three years of prior naval service. On 1 February 1994 you received a psychological evaluation due to a recent suicidal statement and were diagnosed with an occupational problem, and dependent and immature personality traits. However, you were found fit for duty and returned to your unit.

On 18 February 1994 you were again received a psychological evaluation due to a depressed mood after your request for early separation was disapproved. Your were diagnosed with an adjustment disorder with depressed mood, and a severe immature and dependent personality disorder. You were recommended for immediate administrative separation processing due to fact that

you posed a continuing risk to harm yourself or others if retained.

On 24 February 1994 you were notified that separation action was being initiated for the convenience of the government due to your diagnosed personality disorder. You were advised of and waived all of your procedural rights with the exception of obtaining copies of documents that supported the basis for separation. On 9 March 1994 you were honorably discharged and assigned an RE-3G reenlistment code.

Regulations state that an individual will normally receive an entry level separation during the first 180 days of continuous active military service or the first 180 days after a service break of more than 92 days of active service. Your records reflect that you were continuously on active duty from 26 July 1990 until your discharge on 9 March 1994 without any breaks in service. Therefore, you were not eligible for an entry level separation.

Regulations authorize the assignment of an RE-4 or RE-3G reenlistment code to an individual separated by reason of personality disorder. You received an RE-3G reenlistment code, which is the most favorable code that can be assigned to individuals who are separated by reason of a diagnosed personality disorder. Therefore, the reenlistment code was properly assigned and no change is warranted. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director